

1
2 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
3 **STATE OF WASHINGTON**

4 NO. 00-261

5 IN THE MATTER OF ENFORCEMENT
6 ACTION AGAINST:

7 FINAL ORDER

8 BRIAN DERDOWSKI and
9 CITIZENS FOR BRIAN DERDOWSKI,

10 Respondents.

11 The Washington State Public Disclosure Commission (Commission) conducted an
12 enforcement hearing under chapters 34.05 and 42.17 RCW and chapter 390-37 WAC on
13 September 26, 2000.

14 The Commission conducted the hearing to consider the stipulation between the parties as
15 to facts and violations and penalty.

16 The Commission held the hearing at Evergreen Plaza Building, Room 206, 711 Capitol
17 Way South, in Olympia, Washington. The Respondent appeared for the hearing. The Staff
18 appeared through Steve Reinmuth, Assistant Attorney General.

19 The Commission heard oral argument by both parties. The Commission also considered
20 the Report of Investigation and Statement of Charges.

21 The parties stipulated that the Notice of Administrative Charges and the Supplement to
22 Report of Investigation and Statement of Charges contained accurate statements of fact. The
23 parties stipulated that the stipulated facts constitute multiple violations of RCW 42.17.080 and
24 RCW 42.17.090 by Brian Derdowski and the Citizens for Brian Derdowski Committee.

25 The Commission accepted the proposed stipulated facts and violation as presented by the
26 parties.

1 Based on this record, THE COMMISSION ACCEPTS THE STIPULATED FACTS
2 AND VIOLATION AND ORDERS that the respondents violated RCW 42.17.080 and RCW
3 42.17.090 multiple times.

4 THE COMMISSION FURTHER ASSESSES a combined total civil penalty of \$3000.00
5 against both respondents.

6 The Commission suspends \$500.00 of this penalty, unless the Respondents are found to
7 have violated any provision of chapter 42.17 during the next four years from the date of this
8 order.

9 The Respondents shall pay the non-suspended portion of the penalty according to the
10 following terms: \$800.00 shall be paid to the Public Disclosure Commission on or before
11 December 15, 2000. The Respondents shall pay a total of \$200 each month, on or before the 15th
12 of each month, until the remaining balance is paid in full on or before September 15, 2001. If the
13 15th of a given month falls on a weekend or holiday during the payment period, the payment shall
14 be due on the business day preceding that weekend or holiday. If any payment is not received by
15 the Public Disclosure Commission by the 15th of the given month, the entire amount of the
16 outstanding penalty shall be accelerated and declared to be immediately due from the
17 respondents, including the \$500.00 previously suspended.

18 Any party may ask the Commission to reconsider this final order. Parties must place their
19 requests for reconsideration in writing, include the specific grounds or reasons for the request,
20 and deliver the request to the Public Disclosure Commission Offices within 10 days of the date
21 that the Commission serves this order upon the party.

22 Under RCW 42.17.395(5), a final order issued by the Public Disclosure Commission is
23 subject to judicial review under the Administrative Procedures Act, chapter 34.05 RCW. Under
24 RCW 34.05.542(2), a petition for judicial review must be filed with the superior court in
25 Thurston County or the petitioner's county of residence or principal place of business. The
26 petition for judicial review must be served on the Public Disclosure Commission and any other

1 parties within 30 days of the date that the Public Disclosure Commission serves this final order
2 on the parties. The Respondent is not required to ask the Public Disclosure Commission to
3 reconsider the final order before seeking judicial review by a superior court.

4 The Commission will seek to enforce this final order in superior court under RCW
5 42.17.395-397, and recover legal costs and attorney's fees, if the penalty is not paid according to
6 the terms of this order and no petition for judicial review has been filed under chapter 34.05
7 RCW.

8 DATED THIS ^{4th}5 day of October 2000.

9
10 FOR THE COMMISSION:

11 
12 _____

13 VICKI RIPPIE, Executive Director
14
15
16
17
18
19
20
21
22
23
24
25
26